

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Revocation	)	
	)	
or Suspension of the Educator's	)	ORDER OF
	)	
Certificate of Patricia Grimes Grant	)	SUSPENSION
	)	
Certificate # 196408	)	

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on July 8, 2003. Beginning on July 29, 2002 and continuing for several months thereafter, the State Department of Education (Department) sent a notice of the possible suspension or revocation of her South Carolina teaching certificate number 196408 (certificate) to Ms. Patricia Grimes Grant by certified mail, return receipt requested, delivery restricted to addressee, and by service of process through the Anderson County Sheriff's Department. The Department did not receive proof of service from either the United States Postal Service or the Sheriff's Department. However, Ms. Grant received the notice as evidenced by her timely written request for a hearing dated September 26, 2002. On May 6, 2003, a hearing was held by John J. Fantry, Esquire, a hearing officer appointed by the State Board. On July 8, 2003, Mr. Fantry presented his report to the State Board. He recommended a three-month suspension from September 20, 2002, through December 19, 2002. After receiving the report the State Board voted to accept the recommendation of the hearing officer and to retroactively suspend Ms. Grant's certificate for three months.

During the 2001-2002 school year, Ms. Grant was a teacher at McCants Middle School in Anderson Country School District Five (District). On May 2, 2002, Ms. Grant was administering the eighth grade Palmetto Achievement Challenge Test (PACT) field test, when another teacher who was monitoring the PACT testing in Ms. Grant's class testified that he overheard Ms. Grant defining the word "mock" to the class. This word was part of the title of the writing prompt for the test. The other teacher also testified that Ms. Grant left several students who were still taking the test unattended to talk with her husband in the hallway for about five minutes. The witness said she stood three to five feet away from the door to her classroom.

Ms. Grant testified she thought that the title of the prompt was part of the directions and that she was told she could define words used in the test directions. She also testified she was late to the test procedures meeting held on April 23, 2002, and admitted she may have missed

the discussion of this topic. She stated that she stood in the doorway while talking to her husband, so that she could continue to monitor the students. She stated that she administered similar tests for over fifteen years without a problem. She did return to the school for the 2002-2003 school year, but resigned early due to pressing personal problems.

The District Test Coordinator testified the test materials clearly stated that it was not permissible to define words that were on the test. The principal of McCants Middle School testified that he had no other problems with Ms. Grant. The State Law Enforcement Division (SLED), as required by law, investigated the matter and filed a report with the Tenth Judicial Circuit Solicitor. The Solicitor did not file criminal charges. The State Board finds that Ms. Grant did violate state and district test security procedures, and that the penalty recommended by the hearing officer is appropriate considering the evidence presented.

#### **CONCLUSIONS OF LAW**

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (1990). Just cause includes: “Unprofessional conduct.” S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Ann. Regs. 43-58 (1992). After considering the findings and conclusions of the hearing officer, the State Board finds there is substantial evidence to support the retroactive suspension of Ms. Grant’s certificate for three months from September 20, 2002, through December 19, 2002.

South Carolina State Board of Education

By:     /S/ Greg Killian    

Greg Killian

Chair

Columbia, South Carolina  
July 8, 2003